

SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor

Vice Chairman: Mrs. Judith K. Spooner, District No. 2

AUGUST 12, 2002

A SPECIAL MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, August 12, 2002, in the Assembly Room of the Berkeley County Office building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 8:00 p.m.

PRESENT: Mr. James H. Rozier, Jr., Supervisor, Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Steve M. Vaughn, Councilmember District No. 5; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Council District No. 8 (Vacant); Mr. D. Mark Stokes, County Attorney; and Ms. Barbara B. Austin, Clerk to County Council. Mr. Charles E. Davis, Councilmember District No. 4, was excused from this Special Meeting of Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building and the Berkeley County Library, and mailed to the newspapers, radio stations, television stations and concerned citizens.

Chairman Rozier called the meeting to order; Councilmember Spooner gave the invocation; and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

Chairman Rozier stated an Executive Session was not needed and proceeded with the Bill for Third Reading as follows:

“BILL NO. 02-33, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAP OF BERKELEY COUNTY, SOUTH CAROLINA, RE: LOW COUNTRY PINES, LLC, OFF OLD DAIRY ROAD, SUMMERVILLE, TMS#220-00-02-056 (11.5 acres), TMS#220-00-02-057 (47.8 acres), TMS#220-00-02-038 (19.6 acres), TMS#220-00-02-091 (6 acres), TMS#220-00-02-059 (18.97 acres), TMS#220-00-02-079 (2.04 acres), TMS#220-00-02-108 (1.02 acres), TMS#220-00-02-076 (1.02 acres), TMS#220-00-02-107 (1.02 acres), TMS#220-00-02-073 (1.98 acres), TMS#220-00-02-071 (1.92 acres), TMS#220-00-02-106 (1 acre), TMS#220-00-02-066 (1 acre), TMS#220-00-02-063 (1 acre), TMS#220-00-02-105 (1 acre), TMS#220-00-02-049 (1.92 acres), TMS#220-00-02-001 (1.57 acre portion of 5.2 acres total), TMS#220-00-02-115 (1 acre), TMS#220-00-02-041 (4.27 acres), TMS#220-00-02-088 (2 acres), TMS#220-00-02-040 (4.86 acres), TMS#220-00-02-036 (2.63 acres), TMS#220-00-02-035 (7.46 acres), and off Beagle Road, TMS#221-00-00-008 (10.2 acres), TMS#221-00-00-007 (2.93 acres), TMS#221-00-00-006 (7.25 acres), from F-1, Agricultural District, to HI, Heavy Industrial District. Council District No. 7.

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve **Bill No. 02-33, Low Country Pines, LLC**, for Third and final Reading. The motion passed by unanimous voice vote of Council. (A copy of Ordinance No. 02-08-32 is attached to these Minutes.)

Chairman Rozier addressed Addendum #1, **Bill No. 02-36** for **Second Reading**.

“BILL NO. 02-36, AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN BERKELEY COUNTY, SOUTH CAROLINA, AND CROPTECH CORPORATION; AND OTHER MATTERS RELATING THERETO INCLUDING, WITHOUT LIMITATION, PAYMENT OF A FEE IN LIEU OF TAXES.”

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to approve **Bill No. 02-36** for **Second Reading**. The motion passed by unanimous voice vote of Council.

Chairman Rozier read the Resolution as follows:

“RESOLUTION, APPROVING FINANCING TERMS FOR VARIOUS EQUIPMENT LEASE PURCHASES NOT TO EXCEED FOUR (4) YEARS AND SEVEN (7) YEARS.”

It was moved by Councilmember Vaughn and seconded by Councilmember Crosby to adopt the Resolution as presented. The motion passed by unanimous voice vote of Council. (A copy of Resolution No. R 02-36 is attached to these Minutes.)

Chairman Rozier addressed Addendum #2, **Bill No. 02-37** for **First Reading**.

“BILL NO. 02-37, AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, SPECIAL SOURCE REVENUE BOND (CROPTECH CORPORATION PROJECT) SERIES 2002; THE ENTERING INTO OF CERTAIN COVENANTS AND AGREEMENTS AND THE EXECUTION AND DELIVERY OF CERTAIN INSTRUMENTS RELATING TO THE ISSUANCE OF THE AFORESAID BOND, INCLUDING (I) AN INDENTURE; AND (II) CERTAIN OTHER MATTERS RELATING THERETO.”

Chairman Rozier stated that without objection, under Old Business he would like to discuss then former Wando Health Clinic Building. There was no objection.

Chairman Rozier stated the person who had expressed an interest in leasing the old Wando Health Clinic had not responded and he would like Council’s consideration to sell the building and schedule a Public Hearing.

It was moved by Councilmember Vaughn and seconded by Councilmember Farley to consider sale of the old Wando Health Clinic. The motion passed by unanimous voice vote of Council.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adjourn. The motion passed by unanimous voice vote of Council.

The Meeting adjourned at 8:03 p.m.

S/Barbara B. Austin
Clerk of County Council

September 23, 2002
Date approved

ADDENDUM #2

NOTICE OF SPECIAL MEETING OF BERKELEY COUNTY COUNCIL

Chairman: Mr. James H. Rozier, Jr., Supervisor
Vice Chairman: Mrs. Judith K. Spooner, District No. 2

Members: Mr. Milton Farley, District No. 1
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mr. Steve M. Vaughn, District No. 5
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Vacant, District No. 8

There will be a **SPECIAL MEETING** of **BERKELEY COUNTY COUNCIL** on **Monday August 12, 2002**, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, following the Special meeting of the Committee on Finance, the Committee on Water and Sanitation, the Committee on Community Services, the Committee on Justice and Public Safety and Public Hearings at **6:00 p.m.**

ADD:

FIRST READING:

Bill No. 02-37, an **Ordinance** authorizing the issuance and sale of Berkeley County, South Carolina, Special Source Revenue Bond (**Croptech Corporation Project**) Series 2002; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bond, including (i) an indenture; and (ii) certain other matters relating thereto.

[Recommended by Committee on Finance]

August 8, 2002
S/Barbara B. Austin
Clerk to County Council

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A G E N D A

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

PUBLIC DISCUSSION – Requests to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

THIRD READING:

Bill No. 02-33, an **Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Low Country Pines, LLC**, off Old Dairy Road, Summerville, TMS#220-00-02-056 (11.5 acres), TMS#220-00-02-057 (47.8 acres), TMS#220-00-02-038 (19.6 acres), TMS#220-00-02-091 (6 acres), TMS#220-00-02-059 (18.97 acres), TMS#220-00-02-079 (2.04 acres), TMS#220-00-02-108 (1.02 acres), TMS#220-00-02-076 (1.02 acres), TMS#220-00-02-107 (1.02 acres), TMS#220-00-02-073 (1.98 acres), TMS#220-00-02-071 (1.92 acres), TMS#220-00-02-106 (1 acre), TMS#220-00-02-066 (1 acre), TMS#220-00-02-063 (1 acre), TMS#220-00-02-105 (1 acre), TMS#220-00-02-049 (1.92 acres), TMS#220-00-02-001 (1.57 acre portion of 5.2 acres total), TMS#220-00-02-115 (1 acre), TMS#220-00-02-041 (4.27 acres), TMS#220-00-02-088 (2 acres), TMS#220-00-02-040 (4.86 acres), TMS#220-00-02-036 (2.63 acres), TMS#220-00-02-035 (7.46 acres), and off Beagle Road, TMS#221-00-00-008 (10.2 acres), TMS#221-00-00-007 (2.93 acres), TMS#221-00-00-006 (7.25 acres), **from F-1, Agricultural District, to HI, Heavy Industrial District**. Council District No. 7.

ADDENDUM #1:

SECOND READING

Bill No. 02-36, an **Ordinance** authorizing the execution and delivery of a fee in lieu of tax agreement by and between Berkeley County, South Carolina, and **CropTech Corporation**; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes.

RESOLUTION:

A Resolution approving financing terms for various equipment lease purchases not to exceed four (4) years and seven (7) years.

ADDENDUM #2:

FIRST READING:

Bill No. 02-37, an Ordinance authorizing the issuance and sale of Berkeley County, South Carolina, Special Source Revenue Bond (**CropTech Corporation Project**) Series 2002; the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bond, including (i) an indenture; and (ii) certain other matters relating thereto.

PRESENT WITHOUT OBJECTION:

OLD BUSINESS:

Former Wando Health Clinic Building

ADJOURNMENT

PUBLIC DISCUSSION

S/Barbara B. Austin
Clerk of County Council